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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT
DIVISION TWO

THE PEOPLE,

Plaintiff and Respondent,

v.

GREGORIO MURGUIA,

Defendant and Appellant.

B176976

(Los Angeles County
Super. Ct. No. VA079987)

THE COURT:*

Gregorio Murguia appeals from the judgment entered following a jury trial that resulted in his conviction of second degree robbery with personal use of a firearm (Pen. Code, §§ 211, 12022.53, subd. (b)). He was sentenced to 13 years in prison. We appointed counsel to represent him on this appeal.

After examination of the record, counsel filed an “Opening Brief” in which no issues were raised.

On January 4, 2005, we advised appellant that he had 30 days within which to personally submit any contentions or issues which he wished us to consider. On January 24, 2005, appellant filed a handwritten supplemental brief in which he claims he

* NOTT, Acting P. J., DOI TODD, J., ASHMANN-GERST, J.

was denied a fair trial and was wrongly convicted. He asserts that the investigating detective was leading the victim with respect to his identification of the gun, and that there were discrepancies between the detective's and the victim's testimony. He also asserts that the Huntington Park Police Department tampered with evidence by discarding the bicycle on which he was arrested, which he claims differed from that described in the police report as the one ridden by the robber; and that he had an unfair trial because the bicycle was unavailable to the defense and there was a significant possibility that if the bicycle had been presented in court, the outcome of his trial would have been different.

Conflicts in the testimony are for the jury to resolve. (*People v. Maury* (2003) 30 Cal.4th 342, 403.) We do not reweigh the evidence or substitute our judgment for that of the jury. (*People v. Ceja* (1993) 4 Cal.4th 1134, 1138-1139.) Under the applicable standard of appellate review (*People v. Snow* (2003) 30 Cal.4th 43, 66), the evidence amply supports the judgment. Moreover, the record contains nothing with respect to any "discard[ing]" of the bicycle on which appellant was arrested, and his claims concerning evidence tampering are therefore not properly before us. (*People v. Merriam* (1967) 66 Cal.2d 390, 396-397.)

We have examined the entire record and are satisfied that appellant's attorney has fully complied with her responsibilities and that no arguable issues exist. (*People v. Wende* (1979) 25 Cal.3d 436, 441.)

The judgment is affirmed.

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